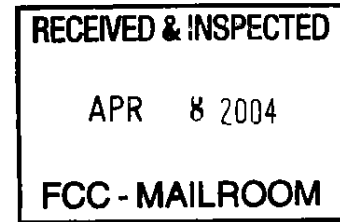


DOCKET FILE COPY ORIGINAL

March 31, 2004



Marlene H Dortch, Secretary  
Federal Communications Commission  
9300 East Hampton Drive  
Capitol Heights, MD 20743

Re Smiley Broadcast Interest "Withdrawal" from  
MB Docket No 02-248, RM-10537,  
FM Table of Allocations, Smiley, Texas

Dear Ms Dortch

Transmitted herewith is an original and four copies of the "Withdrawal"  
of Smiley Broadcast Interest in the above captioned pleading as directed to the  
Assistant Chief, Audio Division, Media Bureau

Should any additional information be required, please contact me at the  
below address

Very truly yours,

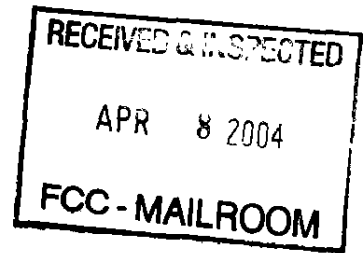
A handwritten signature in black ink, appearing to be "Joe Garcia", written over a horizontal line.

Joe Garcia, principal  
Smiley Broadcast Interest  
7524 North Lamar, suite 200  
Austin, Texas 78752  
(512) 453-1491 (tele)

swith

No. of Copies rec'd 0+4  
List A B C D E

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**



In the Matter of	)	
	)	
Amendment of 73 202 (b)	)	MB Docket No 02-248
Table of Allotments	)	RM-10537
FM Broadcast Stations	)	
Smiley, Texas	)	

To     The Allocations Branch  
         Policy and Rules Division  
         Media Bureau

**WITHDRAWAL**

Smiley Broadcast Interest, by its principal, Joe Garcia, hereby advises the Commission of its withdrawal from the above-captioned rulemaking proceeding. A Declaration of no consideration is attached hereto as Exhibit 1.

**WHEREFORE**, in accordance with the above, Smiley Broadcast Interest respectfully withdraws from the above-captioned proceeding.

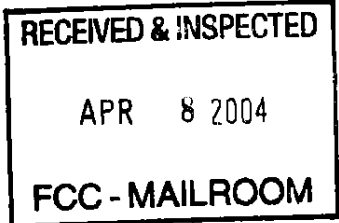
The factual information provided in this withdrawal is correct and true to the best of my knowledge.

Respectfully Submitted,

A large, stylized handwritten signature in black ink, appearing to read "Joe Garcia".

Joe Garcia, principal  
Smiley Broadcast Interest  
7524 North Lamar, Suite 200  
Austin, Texas 78752  
(512) 453-1491            (tele)

March 31, 2004



**DECLARATION**


I, Joe Garcia, principal of Smiley Broadcast Interest, under penalty of perjury,  
hereby state and declare the following

1 On October 21, 2002, Smiley Broadcast Interest filed comments in MB  
Docket No 02-248

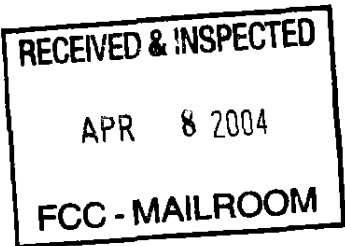
2 Neither Smiley Broadcast Interest, nor anyone affiliated with Smiley  
Broadcast Interest has either been paid or has been promised money or any other  
consideration in exchange for the proposed withdrawal of Smiley Broadcast Interest  
from MB Docket No 02-248

The above statements of fact are true and correct to the best of my own personal  
knowledge and belief

Signed and dated this 31<sup>st</sup> day of March, 2004



Joe Garcia, principal  
Smiley Broadcast Interest



### CERTIFICATE OF SERVICE

I, Joe Garcia, principal of Smiley Broadcast Interest, hereby certify that on this 31<sup>st</sup> day of March, 2004, I caused copies of the foregoing "Withdrawal" to be placed in the U S Postal Service, first class postage prepaid, addressed to the following persons

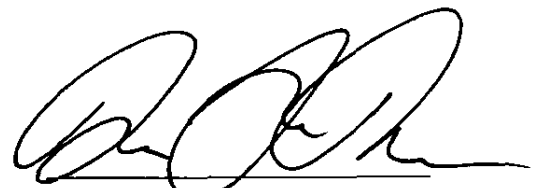
R Barthen Gorman  
Federal Communications Commission  
Media Bureau – Audio Services Division  
445 12<sup>th</sup> Street, S W , Room 3-A224  
Washington, D C 20554

Linda Crawford  
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1401 Eye Street, 7<sup>th</sup> Floor  
Washington, DC 20005



Joe Garcia